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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
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11 X, et al.) Case No.
12 Plaintiff(s),)
13 v.) CASE MANAGEMENT AND
14 X., et al.,) PRETRIAL ORDER
15 Defendant(s).)
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19 Pursuant to Fed. R. Civ. P. 16 and Civ. L.R. 16-14, the following case
20 management and pretrial order is entered:

21 1. TRIAL DATE

22 a. Jury trial will begin on [DATE] at 9:30 a.m. in Courtroom C, 15th
23 Floor, 450 Golden Gate, San Francisco, CA 94102.

24 b. The length of the trial will be not more than [NUMBER] days.

25 2. DISCOVERY

26 a. Experts shall be disclosed by [NAME] (plaintiff); [NAME]
27 (defendant).

28 b. All discovery from experts shall be completed by [NAME] (plaintiff);

1 [NAME] (defendant).

2 c. All non-expert discovery shall be completed by [DATE].

3 3. MOTIONS

4 All dispositive motions shall be served and filed not less than **thirty-five (35)**
5 days prior to the scheduled hearing date of [DATE]. Any opposition shall be served and
6 filed no later than **twenty-one (21)** days prior to the hearing date. Any reply to the
7 opposition shall be served and filed no later than **fourteen (14)** days prior to the date of
8 the hearing.

9 4. SETTLEMENT CONFERENCE

10 A settlement conference will be scheduled before another Magistrate Judge of
11 this court. Counsel will be contacted by that judge's chambers with a date and time for
12 the conference during [MONTH], or as soon thereafter as is convenient to the judge's
13 calendar.

14 5. PRETRIAL CONFERENCE

15 a. A final pretrial conference shall be held on [DATE] at [TIME] in
16 Courtroom C, 15th Floor. Each party shall attend personally or by counsel who will try
17 the case.

18 b. **Not less than thirty (30) days** prior to the date of the pretrial
19 conference, all counsel and/or parties shall meet and fulfill the requirements of Civil
20 Local Rule 16-15.

21 c. **Not less than twenty (20) days** prior to the pretrial conference,
22 counsel or parties shall

23 (i) serve and file a joint pretrial statement pursuant to Local Rule
24 16-15(b);

25 (ii) serve and file trial briefs, motions *in limine*, proposed voir dire
26 questions, jury instructions, verdict forms, and statements
27 designating excerpts from discovery that will be offered at trial
28 (specifying the witness and page and line references);

- 1 (iii) serve and file a numerical list of each party's exhibits, including a
2 brief statement describing the substance and purpose of each
3 exhibit and the name of the sponsoring witness;
4 (iv) serve and file an exhibit setting forth the qualifications and
5 experience for each expert witness;
6 (v) exchange exhibits which shall be **premarked** (plaintiff shall use
7 numbers; defendant shall use letters) and **tabbed**; and
8 (vi) attached to each exhibit at the bottom right corner of the first page
9 shall be a label, not to exceed three (3) inches by four (4) inches,
10 which shall be printed as follows:

11
12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA

14 Case No. _____

15 Exhibit No. _____

16 Date entered: _____

17 RICHARD W. WIEKING, Clerk

18 By: _____
19 Deputy Clerk

- 20 (vii) deliver the original and **two** duplicate sets of all premarked exhibits
21 to chambers (exhibits are not to be filed) at least one week before
22 trial.

23 No party shall be permitted to call any witness or offer any exhibit in its case in
24 chief that is not disclosed in its pretrial statement (prepared in accordance with Local
25 Rule 16-9(b)) without leave of Court and for good cause.

26 d. **Not less than ten (10) days** prior to the pretrial conference,
27 counsel or parties shall serve and file: 1) any objections to witnesses or exhibits, 2) any
28 objections to the qualifications of an expert witness, or 3) any opposition to a motion *in*
limine. No replies shall be filed.

1 e. All motions *in limine* and objections shall be heard at the pretrial
2 conference.

3 6. JURY TRIAL

4 a. Counsel shall submit an **agreed upon set** of additional voir dire
5 questions to be posed by the Court. Any voir dire questions on which counsel cannot
6 agree may be submitted separately. Counsel will be allowed brief follow-up voir dire
7 after the court's questioning.

8 b. The following jury instructions from the *Manual of Model Civil Jury*
9 *Instructions for the Ninth Circuit* (1997 Edition) will be given absent objection: 1.01 -
10 1.12, 2.01 - 2.02, 3.01 - 3.03, 3.05 - 3.08, 3.13 - 3.15. Counsel shall submit an agreed
11 upon set of case specific instructions, using the Ninth Circuit Manual where appropriate.
12 Do not submit duplicates of those listed above. Any instructions on which counsel
13 cannot agree may be submitted separately. Each requested instruction shall be typed
14 in full on a separate page with citations to the authority upon which it is based and a
15 reference to the party submitting it. A **second blind copy** of each instruction and
16 verdict form shall also be submitted omitting the citation to authority and the reference
17 to the submitting party.

18 7. All documents filed with the Clerk of the Court shall list the civil case
19 number followed by the initials "JL." One copy shall be clearly marked as a chambers
20 copy.

21 Date:

22
23 _____
James Larson
United States Magistrate Judge

24 COPIES MAILED TO THE FOLLOWING:

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27 N:\ptorderjl.wpd
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